

UNITED STATES DISTRICT COURT

**Jury demand date:**

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
CARSON W. NEWTON, JERRY P. NEWTON and THOMAS A. AMATO		For plaintiff: Benjamin E. Butts Hicks Epton <del>405-5476</del> 405-257-5476 P. O. Box 131 Wewoka, Oklahoma 74884					
VS							
FRED G. LUKE		For defendant:					

DATE	PROCEEDINGS	Date Order or Judgment Noted
19-30-70	Complaint filed and summons issued.	
1-5-71	Return on service of summons, filed. Service returned, unserved. \$7.72. ds	
1-25-71	Alias summons issued at the request of the plaintiff. b	
1-26-71	Return on service of summons, filed. Served Fred G. Luke at Tulsa, Oklahoma, on 1-26-71. (\$3.00) ds	
7-27-71	Copy of letter dated 7-26-71 from J. D. to Hicks Epton, reminding him to get this case in shape. Filed. r	
8-18-71	Application of plaintiffs for default judgment by court, filed. ds with attached affidavit on Non-Military Service and affidavit of Carson Wayne Newton in support of Default Judgment. Also attached is Memorandum of Authorities in support of Motion of Plaintiffs for Default Judgment against Deft. Filed. <i>Marked</i>	
9-7-71	Case set for Hearing of Application of Pltfs for Default Judgment, on Wednesday, September 8, 1971 at 12:00 P.M. (FD-J)r	
9-8-71	Hearing held on Pltfs Application for Default Judgment. Pltf. represented by Hicks Epton; Deft. was not present or represented. Excerpts of depositions taken in Bankruptcy proceedings were offered into evidence. Pltf. granted the Default Judgment. Court grants attys fees of \$4,460. plus expenses of \$353.00. Court finds that Pltf is not liable on notes bearing their signature and said notes to be cancelled. Order to be filed by pltf. (FD-J)r	
9-16-71	Order decreeing deft. in default and default judgment, filed and entered; that pltfs. Carson W. Newton, Jerry P. Newton & Thomas A. Amato are entitled to judgment against deft. Fred G. Luke in amt. of \$419,713.91, to bear int. at 10% per annum until paid. (FD-J)m (copies mailed pltf. counsel & Luke at "Place One")	

*when order of deft. paid  
to deft. must appear  
to A. Barker -*